

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:23-cr-9
v.)	
)	Judge Atchley
DAVID MICHAEL APPS)	
)	Magistrate Judge Steger

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 10] recommending that the Court: (1) accept Defendant's guilty plea to Count One of the one count Information; (2) adjudicate Defendant guilty of wire fraud in violation of 18 U.S.C. § 1343; and (3) order that Defendant remain out of custody subject to the Order Setting Conditions of Release [Doc. 10] pending sentencing or further order of this Court.

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 11] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's plea of guilty to Count One of the one count Information is **ACCEPTED**;
2. Defendant is hereby **ADJUDGED** guilty of wire fraud in violation of 18 U.S.C. § 1343;
3. Defendant's sentencing hearing shall take place on **July 27, 2023, at 2:00 p.m.** before the undersigned United States District Judge; and
4. Defendant **SHALL REMAIN** out of custody subject to the Order Setting Conditions of Release [Doc. 10] pending sentencing or further order of this Court.

SO ORDERED.

/s/Charles E. Atchley

CHARLES E. ATCHLEY
UNITED STATES DISTRICT JUDGE